



Williams, Larry <larry_williams@fws.gov>

Fwd: [EXTERNAL] Guidance on harassment

4 messages

Herrington, Jay <jay_herrington@fws.gov>

Fri, May 4, 2018 at 4:22 PM

To: Larry Williams <larry_williams@fws.gov>, "Hinzman, Roxanna" <roxanna_hinzman@fws.gov>

Cc: Leopoldo Miranda <leopoldo_miranda@fws.gov>, Jack Arnold <jack_arnold@fws.gov>

See attached e-mail. I noticed you weren't cc'd.

----- Forwarded message -----

From: **Frazer, Gary** <gary_frazer@fws.gov>

Date: Fri, May 4, 2018 at 3:39 PM

Subject: Re: [EXTERNAL] Guidance on harassment

To: "Albrecht, Virginia" <valbrecht@hunton.com>

Cc: Jay Herrington <jay_herrington@fws.gov>, David Dell <david_dell@fws.gov>, Jeff Newman <jeff_newman@fws.gov>, Trish Adams <Trish_Adams@fws.gov>

Virginia -- My assistant, Lois Wellman, works 6a-3p, so that's probably why you got vm. Main number is below, but you can always call my cell at (202) 253-4578.

The take guidance is not intended to set any new standard or limitation, but rather to clarify the longstanding FWS regulatory definitions of harass and harm. I'm interested to hear what take you anticipate that would not fall within the definition of harm.

Have you discussed this with your FWS contacts in the field and the Region, and do they share your view?

Copying Jay Harrington, who is acting ARD, and David Dell. If you haven't discussed this with them, I'd suggest that as the first step. If this needs to be elevated to HQ, I'm happy to discuss and will be in all next week. -- GDF

Gary Frazer

Assistant Director -- Ecological Services

U.S. Fish and Wildlife Service

(202) 208-4646

On Fri, May 4, 2018 at 3:17 PM, Albrecht, Virginia <valbrecht@hunton.com> wrote:

Gary — I tried calling you but got a woman's voice so didn't leave a vm thinking I must have an old number.

The new guidance on harassment could have a profound impact on the HCP our ECPO group has been working on with the support of key NGOs in Collier County, Florida. We'd like to come in to discuss with you. Please call or email to set up a good time to meet. Cell number is 240-498-6409.

Thanks, and hope all is well, Virginia Albrecht

PS — what is your best phone number ?

Sent from my iPhone

--

Jay B. Herrington

Field Supervisor

U. S. Fish and Wildlife Service

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[\(904\) 731-3191](#) (phone)

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E-mail: jay_herrington@fws.gov

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Williams, Larry <larry_williams@fws.gov>

Mon, May 7, 2018 at 7:45 AM

To: "Herrington, Jay" <jay_herrington@fws.gov>

Cc: "Hinzman, Roxanna" <roxanna_hinzman@fws.gov>, Leopoldo Miranda <leopoldo_miranda@fws.gov>, Jack Arnold <jack_arnold@fws.gov>, Constance Cassler <Constance_Cassler@fws.gov>

Jay,

Thanks for sharing this. On May 23 Leo and Rob will make a site visit to Collier County and learn about the HCP on-site. I expect Roxanna, Connie, and myself will join them. That will be a prime time to discuss whether the new guidance on harass and harm have any implications to the HCP.

I don't know Virginia, but I see she works for Hunton and Williams. I assume the Eastern Collier Property Owners (ECPO) has hired Hunton and Williams to help with their permitting.

I'm copying Connie Cassler here. Connie supervises development of the HCP, and she can best tell us if there has been any discussion yet about the new guidance on harm and harass. Connie, any insight?

Thank you,

Larry

[Quoted text hidden]

--

Larry Williams

State Supervisor for Ecological Services

[U.S. Fish and Wildlife Service](#)

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larry_williams@fws.gov

[Quoted text hidden]

Cassler, Constance <constance_cassler@fws.gov>

Mon, May 7, 2018 at 8:13 AM

To: "Williams, Larry" <larry_williams@fws.gov>

Cc: "Herrington, Jay" <jay_herrington@fws.gov>, "Hinzman, Roxanna" <roxanna_hinzman@fws.gov>, Leopoldo Miranda <leopoldo_miranda@fws.gov>, Jack Arnold <jack_arnold@fws.gov>, Charles Kelso <charles_kelso@fws.gov>

Hi Larry,

We had a call on April 27 with the Applicants, Andrew Turner and Carter Clements from Hunton and Williams, and the RO. David Dell mentioned the new guidance and we sent it to the Applicants and attorneys after the call. We did not discuss it since everyone hadn't had a chance to read it. We have a call at 9:00 this Friday, and I'm guessing the guidance will be a topic of discussion.

Connie

Constance L. Cassler, Ph.D.
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Williams, Larry <larry_williams@fws.gov>

Mon, May 7, 2018 at 1:45 PM

To: "Cassler, Constance" <constance_cassler@fws.gov>

Cc: "Herrington, Jay" <jay_herrington@fws.gov>, "Hinzman, Roxanna" <roxanna_hinzman@fws.gov>, Leopoldo Miranda <leopoldo_miranda@fws.gov>, Jack Arnold <jack_arnold@fws.gov>, Charles Kelso <charles_kelso@fws.gov>

Sounds good, Connie. Let me know how Friday's discussion goes. I appreciate all your work you and Chuck have done guiding this big, challenging, project!

Larry

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